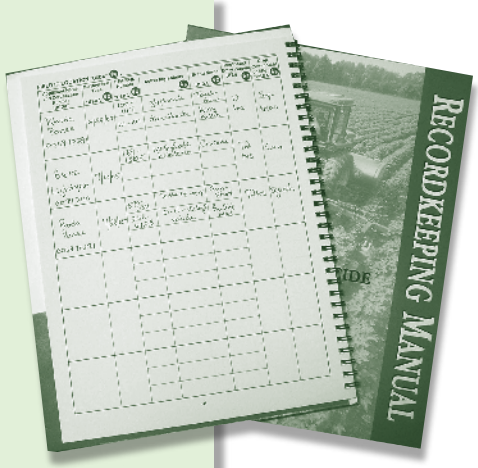
CHAPTER 2

FEDERAL PESTICIDE LAWS

LEARNING OBJECTIVES

After studying this chapter, you should:

- Know how to follow laws and regulations related to pesticide use.
- Know how to ensure that operation records, including application records, are accessible to officials.
- Understand the importance of maintaining records of pesticide applications (e.g., amounts, pests, dates, locations, registration numbers).
- Understand the importance of maintaining training records of persons handling pesticides.

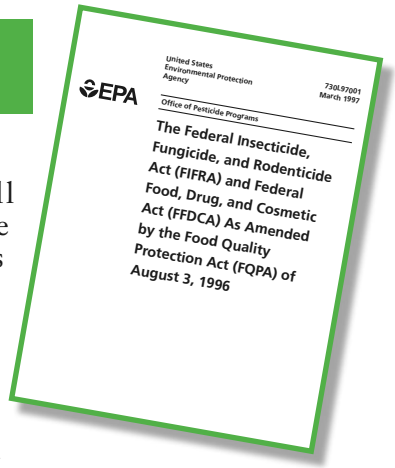


To protect public health and welfare and to prevent adverse effects to the environment, pesticides must be regulated. The purpose of the federal and state pesticide acts is to regulate in the best public interest the labeling, sale and distribution, storage, transportation, use and application, and disposal of pesticides. In essence, pesticides are under regulatory scrutiny from the time of their inception in the laboratory to their ultimate use in the field or their disposal in an approved manner. With the possible exception of human and veterinary drugs, no other class of chemicals receives such extensive testing in the United States before being registered and marketed.

FEDERAL INSECTICIDE, FUNGICIDE, AND RODENTICIDE ACT (FIFRA)

The U.S. Congress enacted legislation that regulates the production, transportation, sale, use, and disposal of all pesticides. The Federal Insecticide, Fungicide, and Rodenticide Act, commonly referred to by its initials, FIFRA, was enacted in 1947. It was amended considerably in 1972, then again in 1975, 1978, and 1988. This statute is administered by the U.S. Environmental Protection Agency (EPA).

FIFRA provides the overall framework for the federal pesticide program. Under FIFRA, the EPA is responsible for registering or authorizng pesticide products for use in the United States. Pesticide registration decisions are based on a detailed assessment of the potential effects of a product on human health and



the environment when used according to label directions. These approved labels have the force of law. Anyone who uses a pesticide in any way not in accordance with the label directions and precautions may be subject to civil and/or criminal penalties. FIFRA also requires that the EPA reevaluate older pesticides to ensure that they meet more recent safety standards. FIFRA requires the EPA, states, tribes, and territories to establish programs to protect workers, and to provide training and certification for applicators.

The Environmental Protection Agency (EPA) is the agency responsible for administering the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA).

A major provision of FIFRA gives EPA the authority to stop the sale or use of any pesticide. The EPA can issue removal orders and seize products to keep them out of the market. Also, state restrictions on pesticides cannot be more liberal than those of FIFRA. Individual states may impose stricter regulations on a pesticide, but the labeling and packaging must be uniform nationwide. Uniform packaging standards include container type, size, and color.

Under FIFRA, all pesticides are classified according to their potential hazards under the circumstances in which they are to be used. The two main classifications are **unclassified use** and **restricted use**, though unclassified pesticides are commonly referred to as **general-use pesticides**. It should be noted that the EPA has classified very few pesticides as general use. Most pesticides that might be expected to fit into the general-use category currently remain unclassified. Normally they have a lower toxicity than restricted-use pesticides and so less potential to harm humans or the environment. They can be bought and used by the general public without special permits or restrictions. The EPA classifies a pesticide as restricted use if use of the pesticide might result in an unreasonable adverse effect on human health and/or the environment; however, application by trained persons according to label directions would protect against such an effect. This restricted-use classification must be stated on the label.

Some active ingredients in pesticides may be listed in both use categories, depending on the formulation, the application method, and the intended uses. For example, an emulsifiable concentrate formulation of a certain insecticide used on fruit trees might be classified as restricted use if it contains a high percentage of active ingredient (e.g., 70 percent). But the same chemical with a low percentage of active ingredients—e.g., 5 percent in a granular formulation used to treat turf insects—could be classified as a general-use pesticide.

Restricted-use pesticides (RUP) may be sold only to certified applicators. A **certified applicator** is an individual who has been recognized (certified) by the state, tribe, territory, or agency responsible for regulating pesticides as being competent to use or supervise the use of restricted-use pesticides. Certified applicators must know how to read a pesticide label and be able to follow directions to use them properly and safely. Under FIFRA there are two types of pesticide applicators—**private** and **commercial.** A **private applicator** is defined as a certified applicator who uses or supervises the use of any restricted-use pesticide for the purpose of producing an agricultural commodity (e.g., field and forage crops, fruit, vegetables, nursery stock, Christmas trees, greenhouse plants, livestock, etc.) on his/her own property or property he/she rents or leases. **Commercial applicators**

Restricted-use pesticides (RUPs) may be sold only to certified applicators.

are individuals who use or supervise the use of any restricted-use pesticide for any purpose on any property except for those provided for under the definition of a private applicator.

Only certified applicators or individuals under their direct supervision may mix, load, or apply restricted-use pesticides. To become certified, a person must exhibit a broad-based knowledge of and competency in pesticide use and handling. This provides an alternative to more stringent controls on, or even cancellation of, the use of these pesticides.

The certified applicator is not permitted to use any pesticide for any use other than that stated on the label except when specific exemptions are granted under Section 2 (ee) of FIFRA. Section 2 (ee) contains provisions that exclude several application procedures from being classified as uses "inconsistent with product labeling." (Note: Not all regulatory agencies recognize the provisions of Section 2 [ee] under FIFRA. Before making pesticide applications, you need to consult your pesticide regulatory agency to see if your respective state, tribe, territory, or agency recognizes these provisions.) These provisions allow:

- A pesticide may be applied to control a target pest not specified on the label if the pesticide is applied to a crop, animal, or site specifically listed on the label (e.g., interior of a home, food-handling establishments, exterior ornamental plants, corn, tomatoes, etc.).
- Any method of application may be used that is not prohibited by the label.
- A pesticide may be applied at a dosage, concentration, or frequency less than that specified on the label, except in the case of termiticides labeled for preconstruction treatments.
- A pesticide-fertilizer mixture may be used if the mixture is not prohibited by the label.

The certification process by all the states, tribes, and territories must be accomplished through EPA-approved programs. Each state is responsible for implementing the certification program. In addition, all states have signed cooperative agreements with the EPA that designate an agency within the state (i.e., the **state lead agency**) to enforce the provisions of FIFRA. In some situations, more than one agency within a state may be designated to enforce various components of FIFRA (e.g., some states have structural pest control boards responsible for regulating the structural pest control industry).

States, tribes, territories, and some local jurisdictions have their own legal requirements concerning pesticide use. You are responsible for knowing about these requirements and complying with them. Be sure you are up-to-date on legal requirements at all governmental levels—laws and regulations are constantly evolving as pesticide application becomes more complex and more is learned about potential hazards. Ignorance of the law is never an accepted excuse for a violation.

Only certified applicators or individuals under their direct supervision may mix, load, or apply restricted-use pesticides.

PESTICIDE REGISTRATION

No pesticide can be registered or offered for sale unless its labeling provides for reasonable safeguards to prevent injury to humans and adverse effects on the environment. There are several types of registration and exemption actions that enable pesticides to be used in the United States:

- The federal registration of pesticides under Section 3 of FIFRA.
- Special local need registrations under Section 24(c).
- Emergency exemptions under Section 18.
- Exemption of minimum-risk pesticides from registration under Section 25(b) of FIFRA.

All of these registration and exemption actions are discussed in detail in Chapter


ION 24(c) SPECIAL LOCAL NEED
Weed Destroyer 3.2 EC Herbicide
FOR DISTRIBUTION AND USE ONLY WITHIN THE STATE OF MARYLAND
EPA Reg. No. 2222-4444 EPA SLN No. MD-0400001
Postemergence Broadleaf Weed Control in Strawberries
DIRECTIONS FOR USE
Refer to product label for General Use Precautions, Mixing and Application Instructions.
Target Broadleaf Weeds, Application Rate, and Use Restrictions:

An example of a label for a Section 24(c) special local need registration.

3, Pesticide Labeling.

Another process involves experimental use permits (EUPs). Under Section 5 of FIFRA, EUPs allow manufacturers to field test pesticides under development. Manufacturers of conventional pesticides are required to obtain experimental use permits before testing new pesticides or new uses of pesticides if they conduct experimental field tests on 10 or more acres of land or one or more acres of water. **Biopesticides** (i.e., pesticides derived from natural materials) also require EUPs when used in experimental settings.

The EPA also has a role in regulating devices used to control pests. A "device" is any instrument or contrivance (other than a firearm) intended for trapping, destroying, repelling, or mitigating any pest. A black light trap is an example of a device. Unlike pesticides, the EPA does not require devices to be registered with the agency but does require the producing establishment to be registered. Devices are subject to certain labeling, packaging, record-keeping, and import/export requirements.

PESTICIDE REREGISTRATION

Since the passage of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) amendments in 1988, the EPA has been conducting a comprehensive review of older pesticides (those initially registered before November 1, 1984) to consider their health and environmental effects and to make decisions about their future use. The EPA examines health and safety data for these pesticide active ingredients and determines whether they are eligible for reregistration. To be eligible, a pesticide must have a substantially complete database and must not cause unreasonable risks to human health or the environment when used in accordance with its approved label directions and precautions.

FIFRA, as amended in 1996 by the Food Quality Protection Act (FQPA), requires that all pesticides meet new safety standards. The EPA must be able to conclude "with reasonable certainty" that no harm will come to infants, children, or other sensitive individuals exposed to pesticides. All pesticide exposures from food, drinking water, and home and garden use must be considered in determining allowable levels of pesticides in food. The cumulative effects of pesticides and other compounds with common mechanisms of toxicity also must be considered.

Through the reregistration program, the EPA is ensuring that older pesticides meet contemporary health and safety standards and product labeling requirements, and that their risks are moderated. In addition, the FQPA created a new program that requires the EPA to review every registered pesticide on a 15-year cycle. The public always will have assurance that pesticides are being reviewed periodically to meet current scientific and regulatory standards. Further information on the FQPA can be found later in this chapter.

TOLERANCES

Pesticides are widely used in producing food. These pesticides may remain in small amounts (called residues) in or on fruits, vegetables, grains, other foods, and animal feeds. To ensure the safety of the food supply, the EPA regulates the amount of each pesticide that may remain in food or feed at harvest or slaughter, and their residues are carefully monitored to avoid hazards to humans and domestic animals that eat them.

Before allowing the use of a pesticide on food crops, the EPA sets a **tolerance**, or maximum residue limit, which is the amount of pesticide residue

Tolerance

The maximum pesticide residue limit that may legally remain on or in treated crops and animals or animal products sold for food or feed.

that may legally remain on or in treated crops and animals (and animal products, such as milk or eggs) to be sold for food or feed. The tolerance is the residue level that triggers enforcement actions. Federal agencies monitor food and feed products for tolerance violations. If residues are found above that level, the commodity will be condemned or subject to seizure by the government, and violators may be prosecuted.

In setting the tolerance, the EPA must make a safety finding that the pesticide can be used with "reasonable certainty of no harm." To make this finding, the EPA considers:

- The toxicity of the pesticide and its breakdown products.
- How much of the pesticide is applied and how often.
- How much of the pesticide (i.e., the residue) remains in or on food by the time it is marketed and prepared.

The EPA ensures that the tolerance selected is safe. The tolerance applies to food imported into this country, as well as to food grown in the United States. In addition, there must be a practical method for detecting and measuring levels of pesticide residues so the regulatory officials can ensure that residues are below the level found to be safe.

Several government agencies enforce the EPA's pesticide tolerances in food. The federal Food and Drug Administration (FDA) tests food produced in the United States and food imported from other countries for compliance with these residue limits. State enforcement agencies also check foods produced in this country. In addition, the U.S. Department of Agriculture (USDA) tests meat and milk. The USDA and the FDA have programs designed to develop statistically valid information on pesticide residues in foods. They provide this information to the EPA to use in its risk assessment for pesticides. If USDA staff members detect violations of tolerances in their data collection program, they notify the FDA.

Pesticide companies, or registrants, must submit a wide variety of scientific studies for review before the EPA sets a tolerance. The data are designed to identify possible harmful effects the chemical could have on humans (its toxicity), the amount of the chemical (or breakdown products) likely to remain in or on food, and other possible sources of exposures to the pesticide (e.g., through use in homes or other places).

All of this information is used in the EPA's risk assessment process. The risk assessment includes consideration of the amounts and types of food people eat and how widely the pesticide is used (i.e., how much of the crop is actually treated with the pesticide), as well as chemistry, toxicity, and exposure information. The EPA also uses data from the USDA on what foods people eat and how much they eat, collected through the Pesticide Data Program. Through these evaluations, the EPA is ensuring the overall safety of proposed pesticide uses, as required by the FQPA.

The EPA is reassessing old tolerances for all the pesticide and other ingredient tolerances and exemptions that were in effect as of August 3, 1996, when the Food Quality Protection Act was signed. This effort is designed to ensure that existing tolerances and exemptions meet the safety standard set by the FQPA.

The EPA is giving highest priority to pesticides that appear to pose the greatest risk. This reassessment is a large task—more than 450 pesticides and other ingredients have tolerances or exemptions from the requirement for a tolerance. Approximately 9,700 tolerances were in effect when the

Stephen Ausmus, USDA Agricultural Research Service

A USDA chemist prepares extracts of fruits and vegetables for analysis of pesticide residues.

Ken Hammond, USDA

The EPA uses data from the USDA on what food people eat and how much they eat, collected through the Pesticide Data Program.

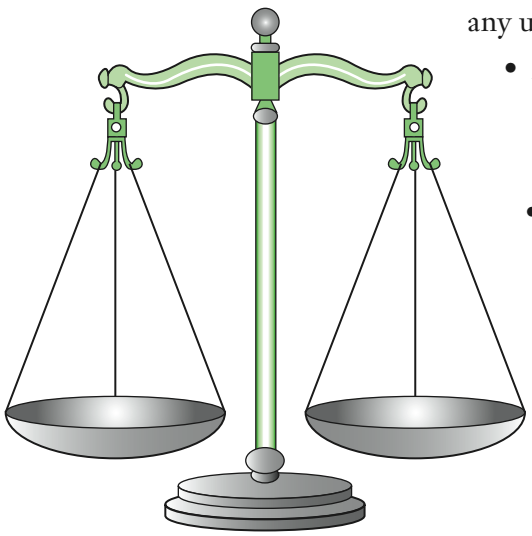
FQPA was passed. Many tolerances can be associated with a given chemical because that chemical might be used on multiple food crops, so the review can be highly complex.

A pesticide applicator cannot measure residues on crops and livestock because such measurements require highly specialized equipment and techniques. But by following labeling instructions, you can be sure that treated products have residues well below the tolerance level when marketed. Especially important are instructions on correct application rate and the minimum number of days allowed between the pesticide application and harvest, slaughter, freshening, or grazing.

VIOLATIVE ACTS AND FEDERAL PENALTIES

A variety of actions by pesticide manufacturers, sellers, and users are unlawful under the provisions of FIFRA. These acts include:

- Distributing, selling, or delivering any unregistered pesticide.
- Making any advertising claim about a pesticide not included in the registration statement.
- Selling any registered pesticide if its content does not conform to label data.
- Selling an adulterated or misbranded pesticide.
- Detaching, altering, defacing, or destroying any part of a container or label.
- Refusing to keep records or permit authorized EPA inspections.
- Making a guarantee other than that specified by the label.
- Advertising a restricted-use pesticide without giving the product classification.
- Making a restricted-use pesticide available to a non-certified applicator (except as provided by law).
- Using a pesticide in any manner not consistent with the label.



Both civil and criminal penalties can be assessed for FIFRA violations.

Remember...

The label is the law!

Penalties

Both civil and criminal penalties can be assessed for FIFRA violations.

Civil Penalties

In general, commercial applicators, wholesalers, dealers, and retailers "may be assessed a civil penalty...of not more than $5,000 for each offense" (Section 14 (a)(1) of FIFRA).

The first violation by a private applicator, as defined by statute, results in a warning from the EPA; each subsequent offense is subject to a fine up to $1,000.

In determining civil penalties, Section 14(a)(4) requires the EPA to consider the size of the business, how the penalty affects the ability of the firm to remain in business, and the gravity of the violation. In cases involving only minor violations, the EPA may issue a warning instead of assessing a penalty.

Criminal Penalties

Willful violation of FIFRA provisions is a misdemeanor. Upon conviction, a private applicator is subject to a fine of up to $1,000 and/or 30 days imprisonment; a commercial applicator is subject to a fine of up to $25,000 and/or up to one year imprisonment; and a producer is subject to a fine of up to $50,000 and/or up to one year imprisonment.

Remember, you must use all pesticides according to label directions—**the label is the law!**

OTHER FEDERAL LAWS AND REGULATIONS

As previously discussed, FIFRA is the main federal law regulating pesticide use. The other core statute providing the EPA regulatory authority for pesticides is the Federal Food, Drug, and Cosmetics Act (FFDCA). Other federal laws cover certain pesticide-related activities such as transportation, storage, disposal, protecting the safety of employees, and reporting accidents and spills. Applicators will encounter other laws and regulations that they must be aware of and comply with. In some cases, the pesticide label will alert you to them.

Federal Food, Drug, and Cosmetic Act (FFDCA)

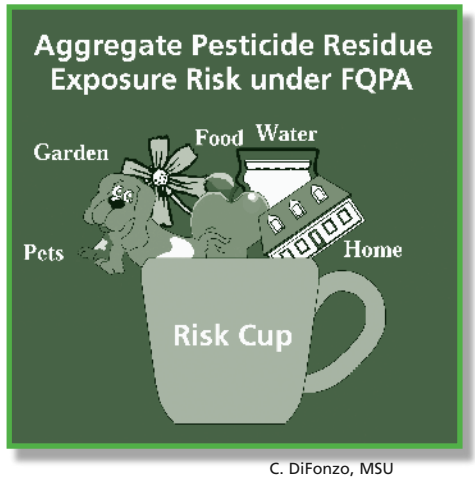
The Federal Food, Drug, and Cosmetic Act (FFDCA) governs the establishment of pesticide tolerances for food and feed products. A tolerance is the maximum level of pesticide residues allowed in or on human food and animal feed. The EPA and the Food and Drug Administration (FDA) are responsible for administering this act.

Food Quality Protection Act (FQPA)

The Food Quality Protection Act (FQPA), passed in 1996, amended both FIFRA and the FFDCA and set a tougher standard for pesticides used on food. The FQPA established a single, health-based standard to be used when assessing the risks of pesticide residues in food or feed. The new safety standard considers the aggregate risk from dietary exposure and other non-occupational sources of exposure, such as drinking water and residential lawn uses. In addition, when setting new or reassessing existing tolerances under the new standard, the EPA must now focus explicitly on exposures and risks to infants and children. Decisions must take into consideration whether tolerances are safe for children—assuming, when appropriate, an additional safety factor to account for uncertainty in data.

Other FQPA requirements include:

- The EPA establishing a tolerance only if there is "a reasonable certainty" that no harm results from all combined sources of exposure to pesticides (aggregate exposures). The FQPA also considers the combined effects of human exposure to different pesticides that may act in similar ways on the body (cumulative exposure).
- The EPA reviewing all old pesticides to make sure that the residues allowed on food meet the new safety standard.
- The EPA testing pesticides for endocrine-disruption potential. Endocrine disruptors may be linked to a variety of sexual, developmental, behavioral, and reproductive problems.
- The EPA distributing a brochure discussing pesticides on foods to supermarkets to better inform the public.



C. DiFonzo, MSU

Figure 2.1
Under FQPA, the EPA must consider both dietary (food) and non-dietary (garden, home, water, pets, etc.) risks of exposure when setting tolerance levels for pesticide residues in food.

Worker Protection Standard (WPS)

The U.S. Environmental Protection Agency's Worker Protection Standard (WPS), as revised in 1992, is a regulation aimed at reducing the risk of pesticide poisonings, injuries, and exposure to agricultural workers and pesticide handlers. The WPS requires employers to provide agricultural workers and pesticide handlers with protections against possible harm from pesticides. Persons who must comply with these requirements include owners and operators of agricultural establishments and owners and operators of commercial businesses hired to apply pesticides or to perform crop advising tasks on agricultural establishments. The WPS protects employees on farms, forests, nurseries, and greenhouses from occupational exposure to agricultural pesticides. As part of the WPS, employers must provide pesticide safety

Gary Kramer, USFWS

Endangered mammal—gray wolf.

John and Karen Hollingsworth, USFWS

Endangered bird—northern spotted owl.

John and Karen Hollingsworth, USFWS

Endangered insect—Karner blue butterfly.

T.G. Barnes

Endangered plant—painted trillium.

training to agricultural workers and pesticide handlers and display a pesticide safety poster in the workplace (refer to Appendix D for further WPS requirements).

Endangered Species Act (ESA)

The Endangered Species Act (ESA) is a federal law administered by the U.S. Fish and Wildlife Service (USFWS) of the Department of the Interior. The law makes it illegal to kill, harm, or collect endangered or threatened wildlife or fish, or to remove endangered or threatened plants from areas under federal jurisdiction. It also requires other federal agencies to ensure that any action they carry out or authorize is not likely to jeopardize the continued existence of any endangered or threatened species, or to destroy or adversely modify its critical habitat. Therefore, the EPA must ensure that no registered pesticide use is likely to jeopardize the survival of any endangered or threatened species.

Each state pesticide program is responsible for implementing the federal Endangered Species Protection Program in cooperation with the EPA. Under this program, pesticide products that might adversely affect an endangered species carry a label statement instructing applicators to consult a county bulletin to determine if they must take any special precautionary measures when using the product. The EPA is developing these bulletins, which identify precautionary measures in each county. Precautionary measures may include buffer strips, reduced application rates, or timing restrictions, or an applicator might be prohibited from using the pesticide within the identified habitat. (See Appendix D for additional federal laws related to environmental protection.)

FEDERAL RECORD-KEEPING REQUIREMENTS

Application Records

Keeping application records meets the requirements of regulations. It is also a wise practice. Records can prove invaluable as documentation in the event of a complaint or lawsuit. If there is ever a legal claim against an applicator about the suspected use of a pesticide, the pesticide application records provide all information about the pesticides that have been applied and thus protect the applicator by providing documentation. They can also help to determine which pesticide treatments work, which treatments do not work, and why. They can help applicators plan future purchases of pesticides so that they buy only the actual amount needed. This helps avoid costly pesticide product and container disposal problems, helps increase profits, and can help in making decisions about integrated pest management. If medical treatment is needed, pesticide records can provide information necessary to the medical staff. The records also document the steps taken to protect farm workers and the environment. Finally, federal and state surveys often use information voluntarily supplied from pesticide records. The data obtained by these surveys can help show the safety of and the economic need for the use of certain pesticides. In addition, the EPA and USDA use pesticide survey information in determining benefits of pesticides being considered for reregistration. Without current, accurate records to rely on to generate survey data, it is often difficult to show whether a particular pesticide is beneficial.

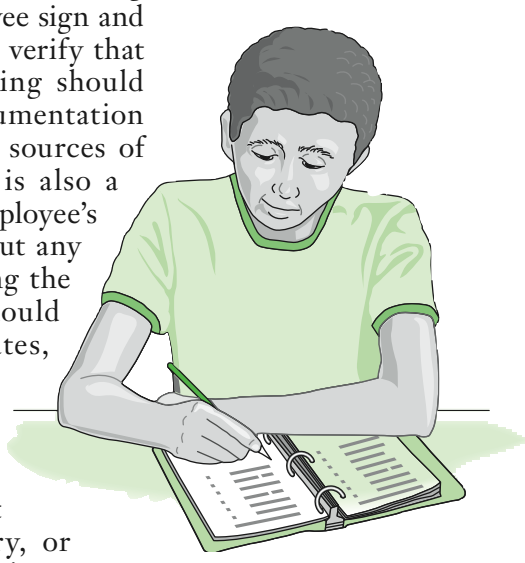
The EPA administers federal record-keeping requirements for commercial applicators, and the USDA administers the requirements for private applicators. Both private and commercial applicators must be aware of the record-keeping requirements for their industry (see Appendix D for a list of requirements).

States, tribes, territories, and other agencies often have their own record-keeping requirements for private and commercial applicators, which may be more stringent than federal standards.

Contact your state, tribe, territory, or agency about applicable requirements.

Maintaining Training Records

Owners and operators of pesticide application businesses should consider keeping documentation on employee training in the use of pesticides. Though not required by federal law through the provisions of either FIFRA or the WPS, this documentation can help substantiate that employees received training on the proper use of pesticides when they were hired. In the case of WPS, it documents that the mandatory training requirements were satisfied. Information such as the employee's name, Social Security number or work identification number, and the date the training was completed should be maintained as part of the training records. Having the employee sign and date the training record to verify that he/she received the training should also be considered. Documentation on training materials and sources of materials that were used is also a good idea. Not only an employee's initial pesticide training but any additional pesticide training the employee may receive should also be documented. States, tribes, territories, and other agencies often have their own record-keeping requirements related to employee training. Contact your state, tribe, territory, or agency about applicable requirements.



Both private and commercial applicators must be aware of the record-keeping requirements for their industry.

SUMMARY

Federal regulations about pesticides are designed to protect the public and the environment from potential adverse effects of pesticides. It is the applicator's responsibility to be familiar with these laws and to comply with the requirements. The Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) is the primary law that regulates how pesticides are produced, transported, sold, used, and disposed of. FIFRA also establishes the process for the registration and reregistration of pesticide products and directs the certification of pesticide applicators. All states, tribes, and territories must comply with FIFRA regulations and may establish additional pesticide regulations as long as they are not less stringent than the FIFRA requirements.

Other important pesticide-related laws include the Federal Food, Drug, and Act (FFDCA), the Food Quality Protection Act (FQPA), the Worker Protection Standard (WPS), and the Endangered Species Act (ESA). The FFDCA regulates the tolerances (i.e., the maximum amounts of pesticide residue) that may remain in human food and animal feed. Several government agencies, including the Food and Drug Administration (FDA) and the U.S. Department of Agriculture (USDA), test food and feed products to ensure they do not exceed legal tolerances. To set tolerance levels, the Environmental Protection Agency (EPA) has established a complex process that involves the review of many scientific studies. This process is necessary for ensuring the safety of food and feed products in the United States.

The FQPA, passed in 1996, has set up even more stringent requirements for assessing the risks of pesticide residues in food or feed. Under this new standard, the EPA must now consider the risk of aggregate exposures of pesticides—i.e., not only dietary exposure but other sources of exposure such as residential lawn and home uses of pesticides or residues that may be found in drinking water. The new standard also puts a greater emphasis on the risk of pesticide exposure to infants and children. Under the FQPA, the EPA must review all old and new pesticides to make sure the residues allowed on food and feed meet the new safety standard.

The WPS is a regulation aimed at reducing the risk of pesticide exposure to agricultural workers and pesticide

handlers. Under this regulation, owners and operators of agricultural establishments or commercial businesses must comply with a list of requirements for establishing a safe work environment for employees. Pesticide safety training for all agricultural workers and pesticide handlers is one of the WPS requirements.

The ESA protects endangered or threatened species from harm, including any harm they might encounter from pesticides. Under the Endangered Species Protection Program, pesticide products that might adversely affect an endangered species must carry a statement instructing applicators to consult a county bulletin to determine if they must take any special measures to protect an endangered species when using the product. It is the applicator's responsibility to obtain the bulletin and comply with the special precautions.

Lastly, applicators must be aware of federal record-keeping requirements administered by the EPA for commercial applicators and by the USDA for private applicators. They must also be aware of any pesticide record-keeping requirements mandated by their state, tribe, or territory. Even though it is not a federal requirement, it is a good idea to maintain employee training records. The training records may be required by the applicator's state, tribe, or territory, and training records also document that the WPS safety training requirement has been met.

Laws and regulations about pesticide use are constantly evolving. It is the certified applicator's responsibility to stay current on legal requirements at all governmental levels. By complying with federal and state pesticide laws, the applicator not only avoids penalties but also ensures that pesticides are handled and applied in as safe a manner as possible.